

LICENSEE

Balancing effective public safety, excellent customer service and a reliable source of revenue.

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Licensee Draws Hundreds of Customers by Spreading Holiday Cheer



Violet Mawyer holds the *Belgium Santa* modeled after the country's Santa from 1900.

Besides regular customers, hundreds travel to the charming Little Market in Afton, Virginia every year around the holidays, not for presents or ingredients for holiday meals, but to see the many handmade Santa Claus dolls on display from Thanksgiving to January. As unique as they are detailed, these dolls represent stories, countries, decades, professions and hobbies. The store's owner Violet Mawyer can share the history behind each doll because she made them all, 240 of them in fact, over the last 11 years. This number does not include the dolls she has given away as presents.

It's hard to believe 81-year-old Mawyer has had the time to create her detailed masterpieces. She starts her day at 5 a.m. baking food to sell in the store, which opens at 7 a.m. Monday through Saturday and 8 a.m. on Sundays, and stays until closing at 8 p.m. seven days a week. Mawyer has operated the Little Market since it opened in 1967. Even



From left to right, *Winter White Santa*, *Pearl Santa* and *Father Frost Santa*, compliment each other, but are individualized with great detail.

with this full schedule, she finds time between customers to make the dolls.

Mawyer was inspired to make the dolls after she saw a Santa doll in another store. She continued making the dolls because the customers had "such a fit" over them. The time spent on each Santa varies, but Mawyer says it usually takes her about four days to make one. The doll bodies come from a company in Illinois, but she gives each one his or her own personality by crocheting them special outfits and finding accessories for each. "The customers will bring in pictures of Santas they want me to create or give me suggestions, and I meet all their requests," said Mawyer. "They even bring in some of their own items to accent the outfits."

All the Santas have names and some represent professions, hobbies or interests, including Policeman Santa, Postman Santa, Bowling Santa and even a Virginia Tech Hokie and Virginia Cavalier Santa. Others provide a glimpse into the holiday traditions of other cultures. Mawyer used pictures she found or ones customers brought

to make Santas from all around the world representing countries such as, Denmark, Iceland, Africa and Russia.

In addition, Mawyer has saved a special section of her store for the "Santas Through the Decades." She created 11 dolls from pictures of Santas from 1800 to 1895, with each decade represented. According to Mawyer, these Santas teach young customers about other times and countries in a fun way. "I continue to make the dolls for the children; they make it all worthwhile. I love to see their eyes get so big when they see the dolls for the first time."

However, children are not the only ones interested in the dolls. According to Mawyer, the Smithsonian Institution in Washington, D.C. was interested in purchasing the Santas for an exhibit. She told the story about how one day a lady came into the store and kept telling her that the dolls didn't belong in the store. Then, the following week, three men wearing business suits came in from the Smithsonian. They tried to buy the dolls from Mawyer, but she wasn't ready to let her creations go just yet. "They told me to at least think about it, so that is what I am doing... just thinking about it... for now."

Mawyer also said another man offered to buy every doll in the store if she named her price, but she didn't have the heart to sell them. After all, the dolls represent 11 years of hard

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Enforcement Update



*S. Christopher
Curtis, Director
of ABC Bureau
of Law
Enforcement*

As licensees, you are important to us, therefore the agency is building a Web page just for you. Currently, ABC offers a wealth of information to licensees on the Web site, but this information is located on multiple pages throughout the site. The agency is relocating all these resources to one main page, entitled "Licensee Resources." This section will serve as your clearinghouse of facts and resources that you need to do business. New information will be added regularly.

The *Licensee Resources* page will feature a link for those who want to apply for an additional license or modify an existing license. In addition to hearings process information, first offense licensee penalty guidelines will be posted along with answers to frequently asked questions relating to hearings and appeals. Licensee Bulletins and Newsletters will be posted along with news releases relevant to licensed establishments.

Information regarding licensee-training programs with online registration will be available. In addition, ABC brochures and stickers can be ordered online. The page will also offer links to external Web site resources such as Century Council and TIPS.

You will be notified by mail when

the *Licensee Resources* page is available. In addition, the agency is in the process of changing its Internet address to www.abc.virginia.gov. Please update your records with the new Web site address. The old address will continue to work for at least a year to facilitate the transition.

ABC is committed to offering training, resources and information that will assist in the operation of your business. We trust this page will enable you to access our resources in a timely and efficient manner, and that the information will be helpful and informative.

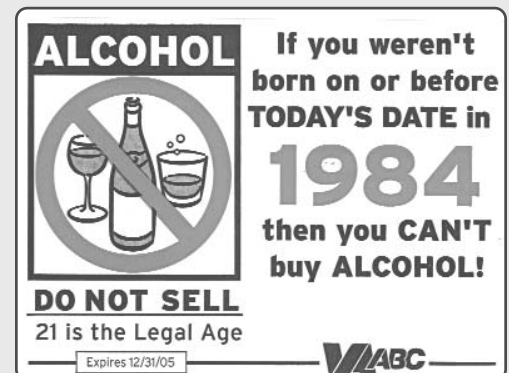
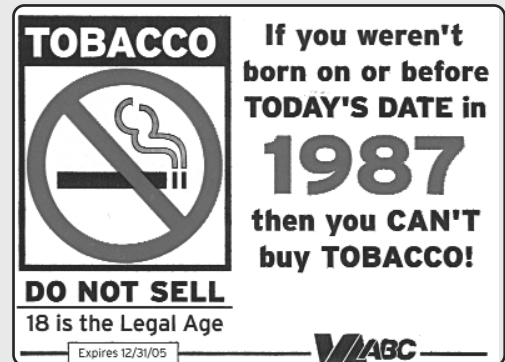
As the New Year transitions to spring, we wish you health, happiness and a prosperous business year.

Do Not Sell Stickers Have Been Mailed to All Licensees

The "Do Not Sell" stickers for 2005 were mailed to all licensees in December for arrival by January 1, 2005. The stickers are easy to read tools that aid sellers when checking IDs. This year's *Do Not Sell* stickers have been coated with a smear-resistant varnish because some of you told us that while cleaning your counters, last year's stickers were affected by the cleaning solution spray. This UV coating should also prevent fading.

Similar to the 2004 stickers, this year's stickers were created using two different colors, one color for alcohol and one for tobacco. The vibrant colors were selected to ensure the dates are clearly visible to both consumers and sellers. To deter underage buyers, ABC suggests placing the stickers where both the seller and buyer can see them, possibly on the countertop or bar where purchases are made.

Although it is not mandatory, it is extremely important that these stickers are displayed in *all* licensed establishments. Additional stickers, or stickers in Spanish, are available upon request by calling ABC's Public Affairs Division at (804) 213-4413 or e-mailing the request to pubrel@abc.virginia.gov. Please include the number of stickers needed, mailing address and which version – English, Spanish or both.



Licensee Spreads Holiday Cheer continued from page 1

work, with each doll holding special memories for her. Mawyer also seems to really enjoy the visits around the holidays from people all over the country and the reactions they have to her Santas.

Helping critique the dolls is her son David French, who also helps run the store. They both greet customers with warm smiles, many of whom they know from the area. Little Market is one of just two local stores in the area. French says everyone knows everybody in the community. Their customers are like close family members, and Mawyer said they appreciate them all. The store stays popular, not only because they have home-made food and are also the place to rent movies, but because there is a friendly, warm feel to the quaint gen-

eral store.

Special Agent Charles Mayo from the Charlottesville Satellite Enforcement Office has established a great rapport with Mawyer over the years. He gave her a deck of "Around the World Santas" cards, and Mawyer said she has re-created six of the Santas and will continue to go through the deck.

In addition to running the store and making the Santa dolls, Mawyer finds time to spend with her three sons, three grandchildren and three great-grandchildren who all live in Virginia. Her children grew up in the store as the family home is next door.



Lottery Santa stands beside his Lady Luck. This lottery inspired Santa doll is accessorized with play money and a Virginia Lottery pin.



Sea shells adorn Sea Shore Santa's robe and are placed in a crocheted handbag and along his feet for that extra special touch.

Department of Criminal Justice Services Addresses Private Security

The Department of Criminal Justice Services (DCJS) issued a memo to all establishments selling alcoholic beverages addressing private security industry regulations. The memo, dated December 14, highlighted laws and regulations that govern private security services, which are relevant to the many establishments that hire security personnel.

According to the memo, an establishment has two options when hiring security personnel to protect their property and patrons. First, they can utilize their employees to provide security services on their premises. The individuals must meet the definition of "employed" as contained in §9.1-138 of the Code of Virginia ("Employed" means to be in an employer/employee relationship where the employee is providing work in exchange for compensation and the employer directly controls the employee's conduct and pays some taxes on behalf of

the employee. The term "employed" shall not be construed to include independent contractors.).

If the relationship between the business and individual meets the definition of "employed," those individuals are exempt from DCJS regulation unless they carry a firearm while on duty. If they carry a firearm while on duty in an area accessible to the public, they must be registered with DCJS as an armed security officer.

Second, an establishment can contract with a licensed private security services business to provide security personnel to protect their property. It is a Class I misdemeanor for an individual to provide private security services without being employed by a licensed private security services business and possessing a registration with DCJS. If the individual works for the establishment, they must receive a W2 form and cannot be paid in cash without keeping record of withholding.

Establishments cannot issue a "Form 1099 Non-Employee Wages" to individuals working as security personnel.

DCJS, in conjunction with ABC and local law enforcement agencies, will be investigating unlicensed activity. If it is determined that an individual is providing private security services without the proper license and registration, he or she may face criminal prosecution.

DCJS suggests the following guidelines: (1) Ensure the private security services business gives you a copy of their license, (2) If the security employee carries a firearm, obtain a copy of his or her registration card and firearm endorsement card, (3) All DCJS credentials offer an expiration date, ensure that they have not exceeded the expiration date, and (4) Contact DCJS at (804) 786-4700 for clarification.

Licensee violations and penalties — November 2004 - January 2005

Compiled by Public Affairs

As a result of ABC Bureau of Law Enforcement investigations and the ABC hearings process, the following businesses received a minimum sanction of a 10 to 30-day suspension and/or at least a \$1,000 fine from November 2004 to

January 2005. These sanctions are reported to raise the awareness of ABC licensed businesses. The intent is to inform licensees of the potential penalties for violating Virginia's ABC Laws and Regulations.

It is the hope that making licensees aware of these major violations will serve as a deterrent. Most licensed establishments operate clean and safe businesses as encouraged by the Virginia ABC Board.

Licensee	Violation	Penalty
Alexandria Dining, Inc./Alexandria	Licensee not legitimate owner; failed to submit annual review report to Board	Revoked
Bennetts Creek Citgo/Suffolk	Sold to underage person	30 days suspended or \$3,000 fine and 10 days suspended
Blue Grass Stores, Inc./Tazewell	Sold to underage person; failed to have designated manager present & in charge	60 days suspended or \$5,000 fine & 15 days suspended
Dodges Store/Norfolk	Sold to underage person	55 days suspended or \$5,000 fine and 10 days suspended
7 Eleven Store #2515 16771/Richmond	Sold to underage person; failed to have designated manager present & in charge	30 days suspended or \$3,000 fine and 10 days suspended
7 Eleven Store #2513 11981/Roanoke	Sold to underage person	60 days suspended or \$5,000 fine and 15 days suspended
Food Lion, 1448/Stanley	Sold to underage person	30 days suspended or \$3,500 fine and 5 days suspended.
Glenvar Minute Mart/Salem	Sold to underage person	30 days suspended or \$3,000 fine and 10 days suspended
Jenkins Mini Mart #15/Dillwyn	Sold to underage person	60 days suspended or \$5,000 fine and 15 suspended
Kwik-Stop #3/Danville	Sold to underage person	25 days suspended or \$2,000 fine
Los Amigos Mexican Restaurant/Franklin	Licensee failed to keep complete, accurate records; defrauded or attempted to defraud the City of Franklin, Commissioner of Revenue by filing a fraudulent report	Revoked
QMaster Billards II Restaurant/Virginia Beach	An officer, manager, director or shareholder has police record of lack of respect for law and order; licensee cannot demonstrate financial responsibility; failed or refused to comply with restriction on license; bad check to Wholesaler or Board	30 days suspended or \$7,500 fine and 7 days suspended
Quik Superette #2/Lebanon	Sold to underage person	30 days suspended or \$3,000 fine and 10 days suspended
Quik E. Food Store/Lynchburg	Sold to underage person	7 days suspension; fine of \$7,500; install scanning equipment; upgrade computer cash register; immediate training for 150 employees for 3 days

Licensee violations and penalties (continued)

Licensee	Violation	Penalty
Rite Aid Pharmacy/Amelia Court House	Sold to underage person	Accepted 30 days suspension and to pay fine of \$10,000
Rite Aid Pharmacy/Chesapeake	Sold to underage person	25 days suspended or \$2,000 fine
Spanky's Delicatessen/Harrisonburg	Licensee cannot demonstrate financial responsibility; licensee not legitimate owner of business	Revoked
Sandy Bottom Market/Deltaville	Sold to underage person	Accepted fine of \$2,000
Shiang YU Chinese Restaurant/Herndon	Sold to underage person	25 days suspended or \$2,000
Smith Mountain Lake Loom #2346/Moneta	Licensee illegally possessed, distributed sold or used or allowed an employee to illegally possess, distribute, sell or use marijuana or other controlled substance	30 days suspended or \$1,000 fine and 15 days suspended
Stop In Food Stores #112/Waynesboro	Sold to underage person; hired convicted felon	30 days suspended or \$3,000 fine and 10 days suspended
Todam Village Restaurant & Lounge/Annandale	An officer, director, manager or shareholder was convicted of a felony or crime or offense involving moral turpitude; cannot demonstrate financial responsibility; failed to have designated manager present and in charge	Revoked
Variety Mart/Alexandria	Sold to underage person; licensee unable to speak, write or understand English	1st charge; 25 days suspended or \$1,500 fine; 2nd charge; 7 days suspended or \$500 fine
Wakefield Inn/Bedford	Sold to underage person on four occasions; allowed intoxicated persons to loiter on licensed premises; noisy or disorderly establishment; allowed lewd or disorderly conduct	30 days suspended or \$6,000 fine and 10 days suspended
The Water Street Gallery/Blacksburg	Sold to underage person on 3 occasions	Accepted 45 days suspended
White Creek Market/Shawsville	Sold to underage person; failed to keep manager name posted	Accepted \$2,500 fine

www.abc.virginia.gov

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RSVP Receives High Marks From Licensees

Based on the evaluations, ABC special Agents have a big hit with Responsible Sellers/Servers: Virginia's Program (RSVP). Special agents taught the three-hour seller/server program to 746 participants in 39 locations from June 6 to September 29, 2004.

RSVP, which started in June 2004, is a continual program offered at least once a month in every region of Virginia. Visit the ABC Web site at www.abc.virginia.gov for a current schedule of classes. RSVP covers laws and administrative regulations that govern alcohol sales and consumption, detecting fake identifications, preventing intoxicated customers and managing confrontational situations.

Participants completing the survey represented various ABC licensees including on-premise, off-premise, on- and off-premise, wineries and private clubs. They included servers, wait staff, bartenders, doormen, owners and managers. These participants were asked to rate the usefulness of the training in 14 areas, and the majority of them rated the training "very useful" in almost all categories.

Three areas considered very useful were:

- Alcohol related laws and regulations (92% very useful)
- Consequences of violating alcohol-related laws and regulations (91% very useful)
- Recognizing the difference between valid and invalid forms of identification (90% very useful)

What was the best part of the training?

Here is what some participants had to say:

"Knowledge of agents in answering questions and providing information you would not know otherwise, excellent course."

"I found out about information I didn't know about ABC that will help in the future. I think they did an excellent job in explaining everything."

"The instructors (agents) broke down the code to be easily understood; they took the time to get answers they could not answer."

"The class was very helpful because it shows us the proper way to check IDs and signs to look out for. The training is good.

Keep updating information yearly."

"I enjoyed the entire training session. Can't pick a particular part. Everything was extremely helpful for me. What I learned, I can pass onto others, employees who weren't here."

Participants were also asked their opinion on four issues relating to the structure of the training. These issues also received high ratings:

- Method of presentation (96% strongly agree and agree)
- Questions answered about VA laws, rules and regulations (94% strongly agree and agree)
- Training applicable to work situation (92% strongly agree and agree)
- Length of class time (88% strongly agree and agree)

Information on class participants

Type of ABC License	N=746	Percent of Total
On-Premise	478	64%
Off-Premise	207	28%
Both On & Off Premise	30	4%
Winery	3	.4%
Private Club	1	.1%
Non Specified	27	3.5%



Title or Position	N=746	Percent of Total
Server/Wait Staff	81	11%
Bartender/Bar Manager	160	21%
Manager/Assistant Manager	277	37%
Doorman	15	2%
Clerk/Cashier	73	10%
Both Server & Bartender	21	3%
Both Bartender & Manager	14	2%
Other	93	12.5%
Non-Specified	12	1.5%

Other includes: Chef, Owner, Liquor Representative, Sales Manager, Wholesaler, Event Coordinator, Security Officer, Trainer, Financial Officer, Team Leader and Food & Beverage Manager.

Distribution of training participants across ABC Regions

ABC Region	N=746	Percent of Total
Roanoke	141	20%
Chesapeake	137	18%
Hampton	124	17%
Lynchburg	75	10%
Richmond North	75	10%
Alexandria	69	9%
Richmond South	68	9%
Staunton	57	7%

Attention Mixed Beverage Licensees: Changing Your Regular ABC Store

Mixed beverage licensees make their regular purchases of distilled spirits products at an “assigned” store. Maintaining a relationship between a licensee and a single store helps ABC to better serve you—by being aware of your usual inventory needs, we can ensure that the products you need are in stock in the quantities required. Licensees have the option to choose the ABC store they wish to use for their product inventories, and changes may be made if another store better suits your needs.

However, there are some important points to remember. First, you need to

inform your current store manager that you wish to change locations and which new store you wish to select. The manager will notify the regional manager who must see if the desired store can accommodate your product needs. If your preferred store has the capacity to properly serve you, then you can make the change. However, the change will not be effective for two weeks, allowing ABC the time to prepare for product orders and delivery.

Second, if you choose to change stores, it's important to maintain this new location. Remaining with one store provides the consistency needed for ensuring your

products are available when you need them. Of course, if your regular store is closed or doesn't have an item you require, you are free to make emergency purchases at any store.

An important part of ABC's mission is providing excellent customer service, which certainly applies to the service the agency gives to you, the licensee community. Not all stores have the capacity to handle large-scale requests from licensees. To continue providing you with superior customer service, ABC wants to ensure your designated store can match your needs.

¿Hablas Español?

ABC is proud to offer selected brochures translated in Spanish for licensees and the general public. The agency realizes the Hispanic population within the licensee community is growing and has produced these materials to better serve this vital group of customers.

Just The Facts: Virginia's Alcohol Laws and Parental Responsibility

This brochure discusses parental

responsibility and the law, laying down the law for teens and tips for hosting an alcohol-free party. This helpful resource also discusses the legal consequences of drinking underage and using false identification to purchase alcoholic beverages.

No I.D. No Sale. No Way: Responsible Selling Guidelines

Recently updated, this brochure gives simple but effective steps for licensees to

combat illegal consumption and sales of alcohol. Checking identifications, dealing with upset customers, and the consequences of selling to anyone under 21 are some of the topics covered in this brochure.

These brochures can be ordered by calling ABC's Education Section at (804) 213-4688.

Online Training for Responsible Alcohol Sales



Virginia Petroleum, Convenience and Grocery Association (VPCGA), a statewide trade association representing more than 5,000 off-premise licensees, introduces an innovative way to educate sellers on how to comply with ABC laws in the Commonwealth. VPCGA is offering the “Learn2Serve” course to be taken at the convenience of you and your employees.

VPCGA and *Learn2Serve* have partnered to bring you this fully integrated online portal designed to train off-premise sales associates. The course will train your employees by using interactive online video and unit testing to assure that all students fully understand their obligations to your business and themselves when selling alcohol in Virginia. All course participants will be able to print a certificate of completion for company files and will also receive a wallet card in the mail to show that they are properly trained. The certification is good for three years. *Learn2Serve* also keeps all records on file.

This two and a half to three-hour course allows employees to complete the training without having to leave their businesses.

The course can be stopped and started at any time as it picks up where the participant was last studying. No special programs are needed, just the Internet. Employees can be trained at their pace and on their timetable.

Learn2Serve is available 24 hours a day, seven days a week through the VPCGA Web site at www.vpcga.com. Click on the button for “VPCGA Online Training” to start your course. Tuition is \$20.00 per class for VPCGA members and \$30.00 for non-members.

This course is recognized or approved in over 30 states to train convenience and grocery clerks on how to sell alcohol properly. For more information, please e-mail Barry Hawkins at barry@vpcga.com or call 804-282-7534.

Ask ABC: Questions from the Field

"Ask ABC" is intended to provide answers to common and not-so-common questions that affect ABC retail licensees and their employees. This serves as an easy-to-use supplement to all of the education materials already offered through ABC, but is not a legal document and does not supercede the Code of Virginia, Virginia Administrative Code or any other statute.

Have a retail license question for ABC?

To submit a question to Ask ABC, please e-mail your question to:

whitney.miller@abc.virginia.gov

Q: We know it is an ABC violation to allow an intoxicated person to loiter on the premises, but what if it takes up to 45 minutes for a taxi to arrive and I allow the person to wait at the front door?

A: It is a violation of the ABC regulations to allow intoxicated patrons to loiter on your premises. The intent of this regulation is to address establishments that have become a place for habitual activities of intoxication on the premises. In other words, if intoxicated persons are routinely able to rendezvous on the premise or if an establishment does not take reasonable steps to address intoxicated individuals upon their discovery, a violation would likely be cited.

If a patron is intoxicated on your premises, the following are some suggestions that should help you to responsibly handle the situation:

- Encourage your staff to be diligent about not serving intoxicated patrons – the sale is just not worth it.
- Make good faith efforts to get a sober ride home for intoxicated patrons, summon the police in instances of a disruptive patron or simply provide the patron a cup of coffee as a stalling technique to allow him or her time to sober up, etc. – do not serve any alcohol!
- Document the situation as well as your efforts to address this type of patron. If necessary, advise your ABC agent of the situation as soon as possible after it occurs.
- If you can show that you made the effort to address the situation with the above suggestions, and acted in good faith to get an intoxicated patron safely home, then your license will not be in jeopardy.



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Mark R. Warner

Governor Mark Warner is dedicated to seeing Virginia lead the nation in the new century and in the new economy.

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